

REMARKS

By this Amendment, Applicant amends claims 36, 39, 42, 45, 46, 50, 51, 55, 56, 60, and 61. Claims 1-11 and 13-61 are pending in this application.

In the Office Action,¹ the Examiner rejected claims 36-61 under 35 U.S.C. § 101 as allegedly lacking patentable utility. The Examiner also allowed claims 1-11 and 13-35. Applicant appreciates the Examiner's indication of allowable subject matter in this case.

Applicant respectfully traverses the rejection of claims 36-61 under 35 U.S.C. § 101. In making the rejection, the Examiner alleged that claims 36-61 are not associated with any technology and are considered to be abstract ideas/methods. See Office Action, page 2-3. While Applicant disagrees, in an effort to expedite prosecution, Applicant has amended claim 36, 39, 42, 45, 46, 50, 51, 55, 56, 60, and 61. For example, claim 36 has been amended to recite a "method executable by a processor for suggesting to a player an attack by an enemy" including, among other steps, "determining by the processor whether an attack by an enemy has begun or will begin." Applicant submits that since claim 36 has been amended to clarify the computerized features of the claim, the claimed invention includes technology, does not merely recite an abstract idea or method, and therefore meets the requirements of 35 U.S.C. § 101.

Independent claims 39, 42, 45, 46, 50, 51, 55, 56, 60, and 61, while of a different scope, have been amended in a similar fashion. The Examiner should therefore withdraw the rejection of claims 36, 39, 42, 45, 46, 50, 51, 55, 56, 60, and 61 under 35 U.S.C. § 101 and allow the claims.

¹ The Office Action contains a number of statements reflecting characterizations of the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Applicant also submits that claims 37, 38, 40, 41, 43, 44, 47-49, 52-54, and 57-60, which depend from one of independent claims 36, 39, 42, 46, 51, and 56, also meet the requirements of 35 U.S.C. § 101 at least due to their dependence. Claims 37, 38, 40, 41, 43, 44, 47-49, 52-54, and 57-60 are therefore also in condition for allowance.

CONCLUSION

In view of the foregoing remarks, Applicant submits that the claimed invention is not obvious in view of the prior art cited against this application. Applicant therefore requests the Examiner's reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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